UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

THE ESTATE OF MARIE BENEZIANO, : Civil No.11-4087 (MLC)

Plaintiff, :

 \vee . \circ ORDER

SUNRISE OF LINCROFT, et al., :

Defendants :

It appearing that it has been reported to the Court that the above action has been settled in its entirety;

It is on this 12th day of September, 2012, ORDERED THAT:

- (1) This action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 60 days, to reopen the action if the settlement is not consummated.
- (2) If any party shall move to set aside this Order of Dismissal as provided in the above paragraph or pursuant to the provisions of <u>Fed. R. Civ. P.</u> 60(b), in deciding such motion the Court retains jurisdiction of the matter to the extent necessary to enforce the terms and conditions of any settlement entered into between the parties.

s/Mary L. Cooper
MARY L. COOPER
United States District Judge